

MORGAN, LEWIS & BOCKIUS LLP
101 PARK AVENUE
NEW YORK, NEW YORK 10178
(212) 309-6000
ATTORNEYS FOR DEFENDANT

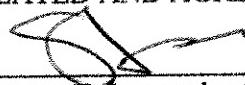
UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

THOMAS J. FALICA, :
Plaintiff, : No. CV-05-2972 (DRH) (AKT)
: ;
-against- :
: ;
THE HOME DEPOT, INC., :
Defendant. :
-----X-----

STIPULATION AND ORDER OF DISMISSAL

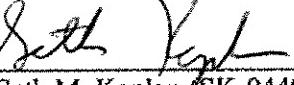
IT IS HEREBY STIPULATED AND AGREED by and between the undersigned that the above-captioned action shall be, and hereby is, dismissed with prejudice and on the merits and without costs or attorneys' fees to any party as against the other.

STIPULATED AND AGREED:

By: 
Steven E. Losquadro (SEL-4670)

STEVEN E. LOSQUADRO, P.C.
649 Route 25A, Suite 4
Rocky Point, New York 11778
(631) 744-9070
Attorney for Plaintiff

Dated: March 23, 2006

By: 
Seth M. Kaplan (SK-0449)
Amanda N. Slatin (AS-5070)

MORGAN, LEWIS & BOCKIUS LLP
101 Park Avenue
New York, New York 10178
(212) 309-6000
Attorneys for Defendant
Home Depot U.S.A., Inc.

March 28, 2006

SO ORDERED:

Denis R. Hurley, U.S.D.J.